

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY DE D.C.

05 JUN 15 PM 2:57

ROBERT R. DETROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

MARCUS KANARD PAYNE,

Plaintiff,

**vs.**

STATE OF TENNESSEE, et al.,

**Defendants.**

Civ. No. 05-2310-M1/P

ORDER DENYING DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME

Before the court is defendant, State of Tennessee's Motion for Enlargement of Time, filed June 8, 2005 (dkt #12). A review of the record reveals that the defendant did not file a certificate of consultation with its motion. Local Rule 7.2 requires that


"[a]ll motions . . . shall be accompanied by a certificate of counsel . . . affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion." Local Rule 7.2(a)(1)(B). Failure to file a Rule 7.2 certificate "may be deemed good grounds for denying the motion." *Id.*

Therefore, defendant's motion is DENIED, without prejudice.

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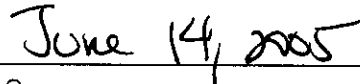
The defendant may renew its motion by refiling it with a certificate of consultation in compliance with Local Rule 7.2.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu Pham', written over a horizontal line.

TU M. PHAM

United States Magistrate Judge

A handwritten date 'June 14, 2005' in black ink, written over a horizontal line.

Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 2:05-CV-02310 was distributed by fax, mail, or direct printing on June 16, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT